

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE REQUESTED FILING OF RULE 1.53(B)  
CONTINUATION PATENT APPLICATION BASED ON  
THE FOLLOWING PENDING PRIOR PATENT APPLICATION:

In re Application of: Parviz Tayebati  
Serial No.: 09/994,572  
Filing Date: 11/27/01  
Title: ELECTRICALLY TUNABLE FABRY-PEROT  
STRUCTURE UTILIZING A DEFORMABLE  
MULTI-LAYER MIRROR AND METHOD OF  
MAKING THE SAME  
Group Art Unit: 2828  
Examiner: James A. Menefee  
Attorney's Docket No.: CORE-10 CIP CON


Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

AFFIDAVIT VERIFYING APPLICATION

Commonwealth of Massachusetts  
County of Middlesex

I, James A. Sheridan, being duly registered to practice before the U.S. Patent and Trademark Office, and being duly sworn, depose and state that: I am attorney of record in the above-identified pending prior application Serial No. 09/994,572, filed 11/27/01, which is in turn a continuation of application Serial No. 09/059,877 filed 04/14/98, and that the enclosed application is a true and complete copy of the prior application Serial No. 09/059,877 as filed, and that no amendments referred to in the oath or declaration filed to complete the prior patent application Serial No. 09/059,877 introduced new matter therein.

 07/22/03  
James A. Sheridan  
Registration No. 43,114

Sworn to before me this 22<sup>nd</sup> day of July, 2003.

  
Notary Public  
My commission expires: 4/17/09